

HMK/jb FS 7755

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MAN FERROSTAAL, INC.,

07 CV 3620 (DAB)

Plaintiff,

**AFFIRMATION IN
RESPONSE TO ORDER
TO SHOW CAUSE**

-against-

M/V STAR DAVANGER, her engines,
boilers, tackle, etc., MASTERBULK PTE
LTD., STAR SHPPING A/S,

Defendants.

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HAROLD M. KINGSLEY, plaintiff's attorney herein, deposes and says:

I am a member of the bar of this Court and the Courts of New York.

I make this Affirmation in Response to the Court's Order to Show Cause why the case should not be dismissed for failure to prosecute as defendants have not appeared in the action.

The reason for defendants' non-appearance is that plaintiff has been granting extensions of time to Answer pending settlement discussions with defendants' local representatives. Such discussions have been fruitful as we have reached an agreement to settle the case, which should be consummated within the next sixty (60) days.

WHEREFORE, the undersigned respectfully requests that this Court not dismiss the case but allow an additional sixty (60) days for settlement to be consummated.

Dated: Hicksville, New York
October 3, 2007

KINGSLEY, KINGSLEY & CALKINS, ESQS.

By: 

HAROLD M. KINGSLEY

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